## JUDICIAL MERIT SELECTION COMMISSION Sworn Statement to be included in Transcript of Public Hearings

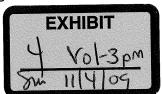
## Family Court (Incumbent)

Full Name: William James Wylie, Jr. Business Address: 212 Deming Way, Box 4

Summerville, SC 29483

Business Telephone: 843-832-1659

- 1. Why do you want to serve another term as a Family Court Judge?
  I find serving as a Family Court Judge both challenging and rewarding.
  Though called upon to make some very difficult decisions, I truly enjoy using my legal education, experience and ability to try to resolve the controversies that mean so much to the people who appear before me. I believe that the work I do is important, and I am both proud of my position and humbled by the responsibility that comes with it.
- 2. Do you plan to serve your full term if re-elected? Yes.
- 3. Do you have any plans to return to private practice one day? No.
- 4. Have you met the statutory requirements for this position regarding age, residence, and years of practice? Yes.
- 5. What is your philosophy regarding ex parte communications? Are there circumstances under which you could envision ex parte communications being tolerated?
  - Ex parte communications should be avoided. I know of little else that can so thoroughly persuade litigants that they are being treated unfairly than having reason to believe the judge is communicating privately with the opposing party or lawyer. I do not allow only one party to be in the courtroom when I am present, or allow only one lawyer to remain in the courtroom to discuss an unrelated matter at the conclusion of a hearing without the consent or presence of the other. Of course, there are limited instances when emergencies require ex parte communications, such as the application for temporary restraining orders or the emergency temporary custody of a child. Even so, it is my practice to limit consideration of such requests to the written pleadings and affidavits filed with the Court, and not to privately discuss the matter with the requesting party or counsel.
- 6. What is your philosophy on recusal, especially in situations in which lawyer-legislators, former associates, or law partners are to appear before you?
  - I try to be alert to circumstances that could reasonably call into question my ability to be impartial, and to recuse myself in such cases. The mere appearance of a lawyer-legislator is not in and of itself grounds for recusal. However, if a lawyer-legislator were to



appear before me while I am actively seeking reelection, I would make that fact known to the opposing party and recuse myself if they were uncomfortable with my hearing the case. Likewise, the appearance of a former associate or law partner is not automatic grounds for recusal, unless the matter in controversy was handled by the associate or partner while the judge was still practicing law in the particular firm. This has not been a problem for me as my former partner does not practice in Family Court. One lawyer with whom I was associated does practice before me. However, we were together for less than one year, and have had very few conflicts arise.

- 7. If you disclosed something that had the appearance of bias, but you believed it would not actually prejudice your impartiality, what deference would you give a party that requested your recusal? Would you grant such a motion?
  - I would give great deference to a party requesting my recusal under any circumstances in which my impartiality could reasonably be questioned, and would mostly likely grant such a motion. The test for recusal should be objective, not subjective. However, the delay resulting from a recusal can be detrimental to the litigants and their children. I believe a judge should have the courage to refuse recusal when it is not being sought for a valid reason but in an effort to gain an advantage.
- 8. How do you handle the appearance of impropriety because of the financial or social involvement of your spouse or a close relative?

  I would recuse myself from any case in which my wife or close relative (or secretary or court reporter) were financially or socially involved. If such involvement were truly insignificant, I would disclose the financial or social connection and give the parties the option of having another judge preside. Any time I feel my recusal is not mandated, but some circumstance might cause a litigant concern over my ability to be impartial, I give the litigants an opportunity to speak with their lawyers privately before asking them on the record if they want another judge to hear the case.
- 9. What standards have you set for yourself regarding the acceptance of gifts or social hospitality? I do not accept gifts from litigants or lawyers or those whose interests are likely to come before me. I do not allow such persons to buy me lunch or dinner. I do not accept invitations to social events if I believe the host is trying to suggest to others that he is in a position of special relationship or influence over me. I do occasionally attend bar association functions.
- 10. How do you handle a situation in which you became aware of misconduct of a lawyer or of a fellow judge?

If the information seemed credible, I would take appropriate action including talking to the judge or lawyer. If I had actual knowledge of the misconduct of a judge that called his fitness into question, I would have to report the misconduct. Likewise, I would have to report a lawyer of whom I had actual knowledge of misconduct.

- 11. Are you affiliated with any political parties, boards or commissions which, if you were re-elected, would need to be re-evaluated? No.
- 12. Do you have any business activities that you have remained involved with since your election to the bench? No.
- 13. Since family court judges do not have law clerks, how do you handle the drafting of orders?

  I am able to draft some orders myself. Most orders are drafted by the attorney for the prevailing party, as is customary. If I cannot announce the decision from the bench, I communicate my decision to the lawyers and pro se litigants by way of a faxed memorandum. If the pro so litigant does not have a fax, I use the same method to notify the opposing attorney (phone, mail or email) so that both parties receive the same notice at substantially the same time. When I receive a proposed order, I verify that the opposing party has been sent a copy by the same means and at the same time.
- 14. What methods do you use to ensure that you and your staff meet deadlines?We each use a desk calendar, as well as a shared computer calendar.

Additionally, my secretary keeps a running list of cases I have taken under advisement.

- 15. What specific actions or steps do you take to ensure that the guidelines of the Guardian Ad Litem statutes are followed during the pendency of a case?
  - I make sure that the fee provisions of the statute are clearly expressed in the orders appointing the GAL in cases where custody is at issue. I require GAL's to participate in pre-trial hearings and status conferences where their work in the case can be discussed, and any concerns about their compliance with statutory guidelines can be raised. Motions addressing deficiencies in a GAL's performance are scheduled well in advance of final hearings as much as possible. I do not, however, believe it appropriate for a judge to independently seek information about a GAL's compliance in an individual case. GAL's should be required to offer sworn testimony and be subject to cross examination so that their testimony can be evaluated and weighed based upon the quality of their work including whether or not they have complied with statutory guidelines.
- 16. What is your philosophy on "judicial activism," and what effect should judges have in setting or promoting public policy?

- I believe that judges should interpret and apply law, not make it. Nevertheless, judges should be concerned with the "spirit" of the law and not just its sterile and technical application. In this way judges can have a positive effect on promoting the public policy established by the Legislature.
- 17. Canon 4 allows a judge to engage in activities to improve the law, legal system, and administration of justice. What activities do you plan to undertake to further this improvement of the legal system? I believe it is important for judges to work for the continued improvement of the legal system. I have spoken at continuing legal education seminars, held meetings with the local bar, spoken to prospective volunteer guardian ad litems, spoken at foster parent programs, am a regular presenter at the new judges school, and have met with representatives of the Department of Social Services, Department of Juvenile Justice, assistant solicitors and public defenders. Recently, I have served on a Magistrate Selection panel implemented by our local Senator, and I have participated in the law school judicial observation and experience programs. I plan to continue such activities.
- 18. Do you feel that the pressure of serving as a judge strains personal relationships (i.e. spouse, children, friends, or relatives)? How do you address this?
  I do not feel that the pressure of being a judge has strained any of my personal relationships. If anything, being a family court judge has made me appreciate my spouse and children more than ever, and I now count other family court judges amongst my closest friends.
- 19. Are you involved in any active investments from which you derive additional income that might impair your appearance of impartiality? No.
- 20. Would you hear a case where you or a member of your family held a de minimis financial interest in a party involved?

  Not without full disclosure and an offer of recusal to the other party (including allowing them to speak with their attorney outside of my presence.)
- 21. Do you belong to any organizations that discriminate based on race, religion, or gender? No.
- 22. Have you met the mandatory minimum hours requirement for continuing legal education courses? Yes.
- 23. What do you feel is the appropriate demeanor for a judge?
  A judge should be mostly serious, but have a good sense of humor. A judge should speak and act responsibly. A judge should be firm but kind, patient, courteous and respectful.

- 24. Do the rules that you expressed in your previous answer apply only while you are on the bench or in chambers, or do these rules apply seven days a week, twenty-four hours a day? Twenty-four seven.
- 25. Do you feel that it is ever appropriate to be angry with a member of the public, especially with a criminal defendant? Is anger ever appropriate in dealing with attorneys or a pro se litigant? No. The very few times that I have become angry in the courtroom, I have said things that I have regretted. A judge should be in control, and becoming angry implies a loss of control. There is a difference, however, between being angry and expressing disapproval or giving a lecture.
- 26. How much money have you spent on your campaign? If it is over \$100, has that amount been reported to the House and Senate Ethics Committees?

  To date I have not spent any money on my campaign. I anticipate mailing letters announcing my candidacy for reelection, and will likely file my application for reelection in person. I do not expect to spend more than \$100.
- 27. While campaigning for this office, have you used judicial letterhead or the services of your staff for your campaign? No.
- 28. Have you sought or received the pledge of any legislator prior to this date? No.
- 29. Have you sought or been offered a conditional pledge of support by any legislator pending the outcome of your screening? No.
- 30. Have you asked any third parties to contact members of the General Assembly on your behalf before the final and formal screening report has been released? Are you aware of any friends or colleagues contacting members of the General Assembly on your behalf? No.
- 31. Have you contacted any members of the Judicial Merit Selection Commission? No.
- 32. Are you familiar with the 48-hour rule, which prohibits a candidate from seeking pledges for 48 hours after the draft report has been submitted? Yes.

I HEREBY CERTIFY THAT THE ANSWERS TO THE ABOVE QUESTIONS ARE TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE.

s/ William J. Wylie, Jr.

Sworn to before me this 7<sup>th</sup> day of August, 2009.

Notary Public for South Carolina

My commission expires: 07-16-2014

## JUDICIAL MERIT SELECTION COMMISSION PERSONAL DATA QUESTIONNAIRE

Court, Position, and Seat # for which you are applying: Family Court, First Judicial Circuit Seat No. 2

1. NAME:

Mr. William J. Wylie, Jr.

**BUSINESS ADDRESS:** 

212 Deming Way, Box 4

Summerville, SC 29483

E-MAIL ADDRESS:

wwyliej@sccourts.org

TELEPHONE NUMBER:

(office): 843-832-1659

2. Date of Birth:

1958

Place of Birth:

Rock Hill, SC

3. Are you a citizen of South Carolina? Yes.

Have you been a resident of this state for at least the immediate past five years? Yes.

- 5. Family Status: Married on January 2, 1983, to Carol Sides Wylie. Never divorced, three children.
- 6. Have you served in the military? N/A.
- 7. List each college and law school you attended, including the dates of your attendance, the degrees you received, and if you left an institution without receiving a degree, the reason for your departure.
  - (a) Erskine College September 1977 May 1981, B.A. History;
  - (b) USC School of Law September 1982 May 1985, J.D.
- 8. List the states in which you have been admitted to practice law and the year of each admission. Also list any states in which you took the bar exam but were never admitted to the practice of law. If you took the bar exam more than once in any of the states listed, please indicate the number of times you took the exam in each state.
  - South Carolina. Admitted to practice in 1985.
- 9. List the significant activities in which you took part during your attendance at college, graduate, and law school. Give the dates you were involved in these activities and list any leadership positions you held.
  - (a) College:

Presidential Appeals Committee 1980 – 81
Judicial Council 1979 – 80
Student Senate 1978 – 79
Student Life Assistant 1980 – 81

Philomathean Literary Society 1978 – 81 (pres., sec.)

Phi Alpha Theta History Honor Society 1978 - 81;

(b) Law School:

My most significant activity during law school was my marriage during my freshman year. I worked as a law clerk for the Donelan Law Firm. Significant course work included Professor Stuckey's Domestic Practice Clinic which included actual representation of a client in a contested, fault-based divorce proceeding before the Lexington, Richland, and Greenville Family Courts. I declined Professor Stuckey's offer of employment with the clinic following graduation in order to start a law firm in Summerville.

 Describe your continuing legal or judicial education during the past five years. Include only the title and date of any continuing legal or judicial education course completed.

Conference/CLE Name	Date(s)
(a) Orientation School for New Judges	06/05/09
(b) Family Court Judges Conference	04/22/09
(c) SC Bar Family Law Section	01/23/09
(d) SC Family Court Bench/Bar	12/05/08
(e) National Judicial College Financial Statements 1	1/120/08
(f) Judicial Conference	08/20/08
(g) Orientation School for New Judges	06/04/08
(h) Family Court Judges Conference	04/23/08
(i) SC Bar Family Law Section	01/25/08
(j) Family Court Bench/Bar	12/07/07
(k) Annual Judicial Conference	08/22/07
(I) Orientation School for New Judges	07/11/07
(m) Family Court Judges Conference	04/25/07
(n) Family Law Section	01/26/07
(o) Family Court Bench/Bar	12/02/06
(p) Annual Judicial Conference	08/23/06
(q) Justice for Children Mini-Summit	08/22/06
(r) Orientation School for New Judges	07/10/06
(s) Domestic Violence (NJC)	05/22/06
(t) Family Court Judges Conference	04/26/06
(u) SC Bar Family Law Section	01/27/06
(v) Family Court Bench/Bar	12/02/05
(w) Mechanics of Family Recovery	09/16/05
(x) Annual Judicial Conference	08/24/05
(y) Family Court Judges Conference	04/27/05
(z) Family Law Section	01/21/05

- 11. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs? If so, briefly describe each course or lecture.
  - (a) I served as a panelist at two Probate Court Bench/Bar Conferences;
  - (b) I lectured on probate procedure at a Court Administration seminar for new probate judges;
  - (c) I spoke at a "Tips from the Bench" seminar on juvenile cases;
  - (d) I lectured at a Probate Bench/Bar CLE on jurisdictional conflicts between family court and probate court;

- (e) I spoke at a Foster Parent Symposium on foster parent participation in abuse and neglect hearings;
- (f) I lectured on judge shopping at a Charleston Bar Family Law Div. seminar;
- (g) I lectured at a C.L.E. on DSS Abuse and Neglect cases;
- (h) For the past three years, I have presented materials on Domestic Abuse and Pro Se Litigation at the Orientation School for New Judges.
- 12. List all published books and articles you have written and give citations and the dates of publication for each. None.
- 13. List all courts in which you have been admitted to practice and list the dates of your admission. Give the same information for administrative bodies that require a special admission to practice.
  - (a) South Carolina Courts: November 21, 1985;
  - (b) U.S. District Court for the District of South Carolina: January 3, 1986.
- 14. Describe chronologically your legal experience since graduation from law school and include a list of all law firms with which you have been associated. Describe the general character of your practice and divide it into periods with dates if its character has changed over the years.

I was a partner in the Polito and Wylie law firm from November 1985 until January 1993 when I became a probate judge. In 1998, I was elected to the family court bench. As an attorney, my primary area of practice was family law in Dorchester, Berkeley and Charleston counties. I did a significant amount of *pro bono* work, including representing children in abuse and neglect cases. Additionally, I handled some personal injury cases, and maintained a few small business clients for whom I performed a variety of legal services.

- 15. What is your rating in Martindale-Hubbell? BV.
- 22. Have you ever held judicial office? Describe the jurisdiction of each of the courts and note any limitations on the jurisdiction of each court.
  - (a) <u>Dorchester County Magistrate</u> (Appointed by Governor): June 1989 December 1992. Jurisdiction limited to small civil claims, and criminal offenses that carried a small fine or imprisonment not to exceed 30 days;
  - (b) <u>Dorchester County Probate Judge</u> (Publicly elected): January 1993 June 1998. Statutory court with limited jurisdiction (decedent's estates, guardianship & conservatorship of incapacitated persons, involuntary commitments, approval of minor's settlements under \$10,000, concurrent jurisdiction for the approval of wrongful death settlements, litigation involving trusts and powers of attorney, marriage licenses);
  - (c) <u>Family Court, First Judicial Circuit (Elected by Legislature)</u>: July 1998 present. Statutory court with limited jurisdiction (divorce, separation, annulments, adoption, paternity, name change, abuse and neglect, juvenile delinquency, custody, child support, visitation).

- 23. If the answer to question 22 is yes, describe or list five of your most significant orders or opinions and give the citations if they were reported. Also list citations to any appellate review of these orders or opinions.
  - Haupt v. Haupt was a divorce case in which one of the most hotly (a) contested issues was the mother's desire to deny visitation for the father. A counselor had recommended visitation be suspended due to the strained relationship between father and children, and he had not had any visitation for over a year when the case was tried before me. The father blamed the mother, and believed she was manipulating everyone including the Court to get her way. Under the particular circumstances of this case, I ordered that neither the mother nor the children could refuse visitation, but that the father could decline any period of visitation after consulting with the children's therapist. Though cumbersome, this provision gave father some control over the visitation and ultimately contributed to his reestablishing a good relationship with his children. I believe this order is significant because it demonstrates my efforts to find creative solutions to difficult problems;
  - (b) McKenzie v. Lavender is an ongoing visitation case in which the Plaintiff seeks to be declared the psychological parent of the Defendant's child. The mother had cut off all contact between the child and the Plaintiff. I ordered temporary visitation with detailed restrictions to protect the child from further confusion about the identity of his father. I ruled that the psychological parent determination should not be made at a temporary hearing, but would have to be made following a trial on the merits with both parties having a full opportunity to be heard, and the child represented by a Guardian ad Litem. I believe this order is significant because it seeks to protect a child caught up in litigation between his natural mother and a person who is neither his biological father, adoptive father nor step-father, but who now has a viable cause of action to be declared the child's father under the "psychological parent doctrine";
  - (c) DSS v. Doe In this action for the termination of parental rights, the Defendants had plead guilty to assault and battery charges in General Sessions, but wanted a trial on the issue of whether they should be found to have committed abuse in the DSS case. The criminal charges were based upon the same incident as the abuse petition. I ruled the pleas required them to admit to conduct in the criminal case that they now wished to deny in the abuse case: the fact that they had not been tried and found guilty made no difference. I found that they had committed the abuse, and ordered their names placed in the Central Registry without further hearing. I believe this order is significant because it is not unusual for criminal defendants to enter a plea bargain rather than stand trial, but the doctrine of judicial estoppel should be

- raised by the Court to not allow them to avoid the consequences of their pleas when it involves the abuse of children;
- (d) Lockard v. Lockard SC App Opinion No. 2004-UP-475. This was a divorce case in which I declined to order joint custody to a domineering father who had a history of anger problems. The parties had been exercising joint custody pursuant to a temporary order that moved the parents in and out of the marital residence every two weeks. I believe my final order is significant to the extent that I did not order joint custody merely to appease hostile parents, but made the decision that I believed was in the children's best interests;
- (e) Patrick v. Britt, 613 S.E.2d 541, 364 S.C. 508 (S.C. App. 2005). This was a child support modification case in which I awarded an increase to the Plaintiff mother. Father was self-employed and claimed only \$66.01 per month income, despite his business grossing over \$400,000 annually. The business paid most of his personal expenses, but he insisted that the Court should use \$66.01 as his income for the child support guidelines calculation. The evidence was convoluted and Defendant intentionally misled the Court about his actual income. I imputed an annual salary based upon his depreciation deductions. I believe this order is significant because it demonstrates my efforts to render a decision that was supported by the evidence even though Defendant tried to conceal his true income, and Plaintiff had no proof of his income.
- 24. Have you ever held public office other than judicial office? Also, state whether or not you have timely filed your report with the State Ethics Commission during the period you held public office. If not, were you ever subject to a penalty? Not Applicable.
- 25. List all employment you had while serving as a judge (whether full-time or parttime, contractual or at will, consulting or otherwise) other than elected judicial office. Specify your dates of employment, employer, major job responsibilities, and supervisor. Not Applicable.
- 26. Have you ever been an unsuccessful candidate for elective, judicial, or other public office? Not Applicable.
- 27. Have you ever been engaged in any occupation, business, or profession other than the practice of law, teaching of law, or holding judicial or other public office? Not Applicable.
- 28. Are you now an officer or director or involved in the management of any business enterprise? Not Applicable.
- 29. A complete, current financial net worth statement was provided to the Commission.
- 30. Describe any financial arrangements or business relationships you have, or have had in the past, that could constitute or result in a possible conflict of interest in the position you seek. Explain how you would resolve any potential conflict of interest. None.

- 31. Have you ever been arrested, charged, or held by federal, state, or other law enforcement authorities for violation or for suspicion of violation of any federal law or regulation, state law or regulation, or county or municipal law, regulation, or ordinance, or any other law, including another country's law? No.
- 32. Have you, to your knowledge, ever been under federal, state, or local investigation for possible violation of a criminal statute? No.
- 33. Has a tax lien or other collection procedure ever been instituted against you by federal, state, or local authorities? Have you ever defaulted on a student loan? Have you ever filed for bankruptcy? No.
- 34. Have you ever been sued, either personally or professionally, that is, have you ever been named as defendant or respondent in any court of law? No.
- 36. Are you now or have you ever been employed as a "lobbyist," as defined by S.C. Code § 2-17-10(13), or have you acted in the capacity of a "lobbyist's principal," as defined by S.C. Code § 2-17-10(14)? No.
- 37. Since filing with the Commission your letter of intent to run for judicial office, have you accepted lodging, transportation, entertainment, food, meals, beverages, money, or any other thing of value as defined by S.C. Code § 2-17-10(1) from a lobbyist or lobbyist's principal. No.
- 38. S.C. Code § 8-13-700 provides, in part, that "[n]o public official, public member, or public employee may knowingly use his official office, membership, or employment to obtain an economic interest for himself, a member of his immediate family, an individual with whom he is associated, or a business with which he is associated." Please detail any knowledge you have of any formal charges or informal allegations against you or any other candidate for violations of these provisions.

I have no knowledge of such charges or allegations against me or any other candidate.

39. S.C. Code § 8-13-765 provides, in part, that "[n]o person may use government personnel, equipment, materials, or an office building in an election campaign." Please detail any knowledge you have of any formal charges or informal allegations against you or any other candidate for violations of these provisions.

I have no knowledge of such charges or allegations against me or any other candidate.

- 40. Itemize (by amount, type, and date) all expenditures, other than those for travel and room and board, made by you, or on your behalf in furtherance of your candidacy for the position you seek. None.
- 41. List the amount and recipient of all contributions made by you or on your behalf to members of the General Assembly since the announcement of your intent to seek election to a judgeship. None.
- 42. Have you directly or indirectly requested the pledge of any member of the General Assembly as to your election for the position for which you are being screened? Have you received the assurance of any public official or public

employee that they will seek the pledge of any member of the General Assembly as to your election for the position for which you are being screened. No.

- 43. Have you requested a friend or colleague to contact members of the General Assembly on your behalf?. Are you aware of any friends or colleagues contacting members of the General Assembly on your behalf? No to both.
- 44. Have you or has anyone acting on your behalf solicited or collected funds to aid in the promotion of your candidacy? No.
- 45. Have you or has anyone acting on your behalf contacted members of the Judicial Merit Selection Commission about your candidacy or intention to become a candidate? No.
- 46. List all bar associations and professional organizations of which you are a member and give the titles and dates of any offices you have held in such groups.
  - (a) South Carolina Bar;
  - (b) South Carolina Conference of Family Court Judges.
- 47. List all civic, charitable, educational, social, and fraternal organizations of which you are or have been a member during the past five years and include any offices held in such a group, any professional honors, awards, or other forms of recognition received and not listed elsewhere.
  - (a) Summerville Elementary School PTA;
  - (b) Alston Middle School PTA;
  - (c) Summerville High School PTA.
- 48. Provide any other information that may reflect positively or negatively on your candidacy, or which you believe should be disclosed in connection with consideration of you for nomination for the position you seek.

I grew up in Brazil, the son of Presbyterian missionaries, where my father worked with impoverished fishermen and their families. My parent's example of sacrificial service to others has had a tremendous impact on me. I grew up in a foreign culture where I counted the rejected of society among my friends. In college, I spent my summers as a construction laborer, farm hand, and factory worker. Throughout my life, I have been exposed to and made friends with, people from all walks of life and from diverse cultural, ethnic and social backgrounds. I believe these experiences have given me a great appreciation for the dignity and value of all human beings, and I am deeply committed to an even-handed administration of justice to the end that whether or not they agree with my decision, both the bank president and construction laborer will agree that I listened to them and they were treated fairly.

And, after nearly twelve years on the Family Court Bench, I still love this job!

- 49. References:
  - (a) Susanne Draper, AVP
    Wachovia Financial Center

10106 Dorchester Rd. Summerville, SC 29485

- (b) Jeff Bowers
  Remax Realty
  9209 University Blvd.
  North Charleston, SC 29406
- (c) Dr. Mike Shelton
  Summerville Presbyterian Church
  407 South Laurel Street
  Summerville, SC 29484
- (d) Dr. Chris Wimberly 111 Dan Miler Ln. Summerville, SC 29483
- (e) Mr. Rudd Smith 100 South Main St., Suite J Summerville, SC 29483

YOUR SIGNATURE WILL BE HELD TO CONSTITUTE A WAIVER OF THE CONFIDENTIALITY OF ANY PROCEEDING BEFORE A GRIEVANCE COMMITTEE OR ANY INFORMATION CONCERNING YOUR CREDIT.

I HEREBY CERTIFY THAT MY ANSWERS ARE TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE.

Signature:

William J. Wylie, Jr.

Date:

8/8/09